

By: Sanford

H.B. No. 1620

A BILL TO BE ENTITLED

AN ACT

relating to a voluntary temporary caregiver program providing temporary care for children removed from their homes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 262, Family Code, is amended by adding Sections 262.1041 and 262.1042 to read as follows:

Sec. 262.1041. VOLUNTARY TEMPORARY CAREGIVER PROGRAM. (a)

The Department of Family and Protective Services shall create a program that allows a child who is removed from the child's home under this chapter to be placed in the care of an individual approved as a voluntary temporary caregiver under this section.

(b) The department shall establish an application and verification process to approve individuals to serve as voluntary temporary caregivers. The department's verification process must:

(1) include a background and criminal history record check of each caregiver;

(2) verify the caregiver:

(A) has a home with adequate sleeping space for each child placed with the caregiver;

(B) has six or fewer children in the caregiver's home, including the caregiver's own children and any children for whom the caregiver provides day care;

(C) agrees to nonphysical discipline;

1 (D) has had all pets in the caregiver's home
2 vaccinated; and

3 (E) maintains and submits to the department proof
4 of current certification in first aid and cardiopulmonary
5 resuscitation issued by the American Red Cross, the American Heart
6 Association, or another organization that provides equivalent
7 training and certification;

8 (3) require each member of the caregiver's household
9 to undergo a screening test for tuberculosis infection approved by
10 the executive commissioner of the Health and Human Services
11 Commission; and

12 (4) include any other administrative procedure the
13 department determines is necessary to ensure the caregiver will
14 provide a safe home for the child.

15 (c) A child may be placed with a voluntary temporary
16 caregiver for not more than 14 days after the date the child is
17 removed from the child's home.

18 (d) A voluntary temporary caregiver with whom a child is
19 placed under this section is not entitled to any reimbursement for
20 the care the caregiver provides for the child.

21 (e) A voluntary temporary caregiver is not liable for the
22 cost of any medical care the child receives while the child is
23 placed with the caregiver. The cost of any medical care shall be
24 covered by the existing health insurance provided for the child.

25 (f) A voluntary temporary caregiver shall ensure the child
26 continues to attend the school in which the child was enrolled
27 immediately before the child was removed from the child's home.

1 (g) A voluntary temporary caregiver may be designated as the
2 caregiver of the child under a parental child safety placement
3 agreement in accordance with Subchapter L, Chapter 264.

4 (h) The department shall publicize the voluntary temporary
5 caregiver program and notify the parents of a child being removed
6 from the child's home whether the child will be placed with a
7 voluntary temporary caregiver.

8 (i) The executive commissioner of the Health and Human
9 Services Commission shall adopt rules necessary to implement this
10 section.

11 Sec. 262.1042. RELEASE OF CHILD BY LAW ENFORCEMENT OR
12 JUVENILE PROBATION OFFICER TO VOLUNTARY TEMPORARY CAREGIVER. A law
13 enforcement or juvenile probation officer who takes possession of a
14 child under this chapter may release the child to a voluntary
15 temporary caregiver approved under Section 262.1041.

16 SECTION 2. As soon as practicable after the effective date
17 of this Act:

18 (1) the executive commissioner of the Health and Human
19 Services Commission shall adopt rules necessary to implement the
20 changes in law made by this Act; and

21 (2) the Department of Family and Protective Services
22 shall implement the voluntary temporary caregiver program as
23 required by this Act.

24 SECTION 3. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2017.